

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF PUERTO RICO

WILLIAM M. ROSARIO-PEREZ,

Petitioner,

v.

COMMONWEALTH OF PUERTO RICO,
et al.,

RESPONDENTS.

Civil No. 08-1954 (ADC)

ORDER

Petitioner, William M. Rosario-Pérez ("petitioner"), filed a petition for a writ of habeas corpus (the "petition") on August 27, 2008, alleging that he was illegally arrested and denied bail. **Docket No. 2.** The case was referred to Magistrate-Judge Marcos E. López (the "Magistrate-Judge") on November 24, 2008. **Docket No. 3.** On February 20, 2009, the Commonwealth of Puerto Rico filed a motion to dismiss the petition. **Docket No. 9.** Petitioner did not respond to the same. On February 25, 2009, the Magistrate-Judge issued a Report and Recommendation ("R & R") which recommended dismissing the petition. **Docket No. 15.** Objections to the R & R were due by March 16, 2009, but none have been filed up to this date.

I. Standard of Review for Objections to A Report and Recommendation

A district court may refer pending motions to a magistrate-judge for a report and recommendation. 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72(b); L. Civ. R. 72(a). Any party adversely affected by the recommendation issued may file written objections within ten (10) days of being served with the report and recommendation. 28 U.S.C. § 636(b)(1). However, "[a]bsent objection by the plaintiffs, [a] district court ha[s] a right to assume that [a party] agree[s] to the magistrate's recommendation." *Templeman v. Chris Craft Corp.*, 770 F.2d 245, 247 (1st Cir. 1985), cert. denied, 474 U.S. 1021 (1985). Accordingly, absent a proper objection, the court need only satisfy itself that there is no plain error in order to accept an unopposed

Report and Recommendation. *Pelot-Bermúdez v. U.S.*, Civ. No. 04-1702 (DRD), 2006 WL 3007480, *2 (D.P.R. Sept. 22, 2006).

II. Discussion/Conclusion

Upon review of the R & R, the court finds no reason to depart from the Magistrate-Judge's recommendations. More so, up to this date, petitioner has failed to object to the R & R. Accordingly, the court **ADOPTS** the R & R in full (**Docket No. 15**), thereby granting defendant's motion to dismiss (**Docket No. 9**) and **DISMISSING WITH PREJUDICE** petitioner's petition for a writ of habeas corpus (**Docket No. 2**).

SO ORDERED

At San Juan, Puerto Rico, on this 14th day of April, 2009

S/AIDA M. DELGADO-COLÓN
United States District Judge